

Court of Appeals, State of Michigan

ORDER

People of MI v Alonzo Antwaun Fears

Docket No. 267947

LC No. 05-0007114-01

Michael J. Talbot
Presiding Judge

Kurtis T. Wilder

Christopher M. Murray
Judges

On November 27, 2006, this Court issued an order that granted appointed counsel's motion to withdraw based on a finding that the appeal is wholly frivolous, affirmed defendant-appellant's conviction, and directed withdrawing counsel to serve defendant-appellant with a copy of this Court's order and the transcript and to file proof of service with this Court. The order further provided that the judgment of affirmance was stayed for a period of 28 days after service of a copy of the transcript on defendant-appellant, during which time defendant-appellant was allowed to file a written communication seeking reconsideration.

Withdrawing counsel served a copy of the November 27, 2006, order on defendant-appellant, but advised that the transcript had been returned to the trial court on August 25, 2006, with the understanding that the trial court clerk would forward the transcript to defendant-appellant. Although it is the policy of Wayne Circuit Court to require appointed counsel to return the transcript to the circuit court for forwarding to the defendant-appellant, the circuit court clerk has advised this Court that it is unable to confirm whether the transcript in this case was actually forwarded to defendant-appellant.

To ensure that defendant-appellant is in receipt of the a copy of the transcript, the Court orders that within 14 days of the Clerk's certification of this order defendant-appellant shall advise this Court in writing if he has not received a copy of the transcript.

The final judgment of affirmance is STAYED for a period of 28 days after the Clerk's certification of this order, to allow defendant-appellant to provide written notice if he is not in receipt of the transcript and, if defendant-appellant is in receipt of the transcript, to afford him an opportunity, if he so desires, to file a written communication with this Court, raising any issue or question that he wishes this Court to consider, which shall be treated by this Court as a motion for reconsideration.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 16 2007

Date

Sandra Schultz Mengel
Chief Clerk